

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**TEACHERS INSURANCE & ANNUITY
ASSOCIATION OF AMERICA,**

**Plaintiff,
-against-
SIMONS,
Defendant.**

USDC SDNY
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ELECTRONICALLY FILED
DOC#: 1/12/2023
DATE FILED: 1/12/2023

21-cv-03712 (ALC)

ORDER

ANDREW L. CARTER, JR., United States District Judge:

The Court is in receipt of the parties' premotion letters related to their anticipated cross-motions for summary judgement. *See* ECF Nos. 58-61. The Court is also in receipt of the parties' joint status report and proposed briefing schedule. ECF No. 63.

Plaintiff's and Defendant's requests for a premotion conference are **DENIED**. Plaintiff and Defendant are hereby **GRANTED** leave to file motions for summary judgment. The parties are directed to adhere to the following briefing schedule:

Opening Briefs: January 31, 2023

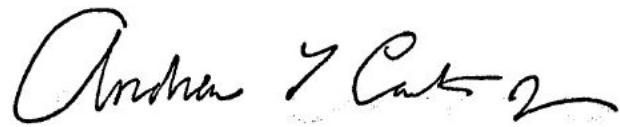
Opposition Briefs: February 21, 2023

Reply Briefs: March 7, 2023

Accordingly, Defendant's motion for summary judgment is dismissed with leave to refile in accordance with the above briefing schedule. The Clerk of the Court is respectfully directed to terminate Defendant's motion for summary judgment at ECF No. 53.

SO ORDERED.

Dated: January 12, 2023
New York, New York



ANDREW L. CARTER, JR.
United States District Judge